

1 **R277. Education, Administration.**

2 **R277-485. Loss of Enrollment.**

3 **R277-485-1. Authority and Purpose.**

4 (1) This rule is authorized by:

5 (a) Utah Constitution Article X, Section 3, which vests general control and
6 supervision over public education in the Board;

7 (b) Subsection 53E-3-401(4), which allows the Board to make rules to execute the
8 Board's duties and responsibilities under the Utah Constitution and state law; and

9 (c) Section 53F-2-207, which allows the Board to increase funds for a school district
10 in order to avoid penalizing it for an excessive loss in student enrollment due to factors
11 beyond its control.

12 (2) The purpose of this rule is to establish guidelines for funding under Section 53F-
13 2-207.

14

15 **R277-485-2. Definitions.**

16 (1) "ADM" means average daily membership derived from end-of-year data.

17 (2) "Carryforward balance" means the unobligated amount of MSP basic program
18 education funds from the previous fiscal year.

19 (3) "Historical Mean ADM" means the mean of the two highest ADMs in the three
20 years preceding the prior year.

21 (4) "Local Effort" means the prior year sum of tax rates imposed by the local school
22 board.

23 (5) "Lost ADM" means the difference between prior year ADM and Historical Mean
24 ADM.

25 (6) "Mid-year update" means the annual Minimum School Program allocation report
26 prepared by the Superintendent by January 1 annually.

27 (7) "Minimum School Program" or "MSP" means the state supported Minimum
28 School Program as defined in Title 53F, Chapter 2.

29 (8) "Weighted Pupil Unit" or "WPU" means the unit of measure of factors that is
30 computed in accordance with the MSP for the purpose of determining the costs of a program
31 on a uniform basis for each district.

32

33 **R277-485-3. Eligibility.**

34 (1) A school district may receive funding under this rule if the district's lost ADM is at
35 least four percent less than the district's historical mean ADM.

36 (2) A school district that seeks funding under this rule shall file a petition with the
37 Superintendent no later than September 15 that demonstrates that a loss of enrollment
38 occurred due to unpredictable factors beyond the district's control.

39 (3) The Superintendent shall refer a petition filed in accordance with Subsection (2)
40 to the Finance Committee to review and make a recommendation to the Board.

41 (4) A charter school may not receive funding under this rule.

42

43 **R277-485-4. Funding.**

44 (1) The Superintendent shall allocate funding to an eligible district under Subsection
45 R277-485-3(1) using the unencumbered MSP carryforward balance.

46 (2) The Superintendent may only award funds to a district under this rule after all
47 other authorized uses of the carryforward balance have been carried out.

48 (3) The total amount of funds made available for distribution shall be equal to the
49 lesser of:

50 (a) the sum of lost ADM in eligible districts multiplied by 25 percent of the current
51 year value of the WPU; or

52 (b) 25 percent of the current unencumbered MSP carryforward balance.

53 (4) The Superintendent shall distribute available funds in proportion to lost ADM (90
54 percent) and prior year local effort (10 percent) among eligible districts.

55 (5) The Superintendent may not fund an eligible district if there are not any current
56 year unencumbered MSP funds.

57 (6) The Superintendent shall distribute funds annually in one lump sum with the mid-
58 year update of the current year MSP.

59

60 **KEY: students, enrollment**

61 **Date of Enactment or Last Substantive Amendment: August 7, 2017**

62 **Notice of Continuation: June 6, 2017**

63 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-3-401(4); 53F-2-**
64 **207**